

The background image shows a vast, brightly lit industrial pig farming facility. Rows of metal pens are filled with numerous pink pigs. The facility has a high ceiling with exposed pipes and industrial lighting. The perspective is from a central aisle looking down the length of the building.

Stink. Stank. Stunk.

The New Large Concentrated Animal Feeding
Operations (CAFO) Act

— OR —

We're All Factory Farmers Now!

S.B. 130, Regulation of Concentrated Animal Feeding Operations (2021 General Session)



A photograph of a large indoor pig farming facility. The facility has a high ceiling with corrugated metal and several bright lights. The floor is made of wooden planks. On either side of a central aisle, there are long rows of metal cages. Each cage is filled with numerous pink pigs. The pigs are of various sizes, some standing and some lying down. The overall atmosphere is industrial and clean.

S.B. 130, Regulation of Concentrated Animal Feeding Operations (2021 General Session)

➤ Codified in CLUDMA: Utah Code sections 17-27a-1101 through -1104

A photograph of a large-scale pig farming operation. The facility is a long, narrow building with a high ceiling and corrugated metal walls. The floor is made of wooden slats. On both sides of a central aisle, there are rows of metal cages or pens. Each pen is filled with numerous pink pigs. The pigs are of various sizes, some appearing to be adults and others younger. The lighting is bright, coming from overhead fixtures. The overall impression is one of a highly organized and intensive animal husbandry environment.

S.B. 130, Regulation of Concentrated Animal Feeding Operations (2021 General Session)

- Codified in CLUDMA: Utah Code sections 17-27a-1101 through -1104
- Requires every county that wants to restrict siting of large CAFOs to designate geographic areas where may be sited

A photograph of a large indoor pig farming facility. The facility has a high ceiling with corrugated metal and several bright lights. The floor is made of wooden slats. There are many rows of pens, each containing several pink pigs. The pigs are of various sizes, some appearing to be piglets and others more mature. The pens are separated by metal railings. The overall scene is a typical industrial-scale pig farming operation.

S.B. 130, Regulation of Concentrated Animal Feeding Operations (2021 General Session)

- Codified in CLUDMA: Utah Code sections 17-27a-1101 through -1104
- Requires every county that wants to restrict siting of large CAFOs to designate geographic areas where may be sited
- By February 1

The background image shows a large, industrial-scale indoor pig farming facility. Numerous pink pigs are housed in long, narrow metal pens that run parallel to each other, creating a central aisle. The facility has a high ceiling with exposed metal trusses and bright overhead lighting. The overall scene depicts a concentrated animal feeding operation (CAFO).

S.B. 130, Regulation of Concentrated Animal Feeding Operations (2021 General Session)

- Codified in CLUDMA: Utah Code sections 17-27a-1101 through -1104
- Requires every county that wants to restrict siting of large CAFOs to designate geographic areas where may be sited
- By February 1
- Unless fall within safe harbor

Some Background:



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Some Background:



A photograph of a large industrial hog farm. The image shows rows of metal cages filled with pink pigs. The facility has a high ceiling with many lights and ventilation systems. The perspective is from a central aisle looking down the length of the building.

Some Background:

Smithfield®

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- World's largest hog producer
- \$15 billion

Some Background:

In Utah:

- 880,000 market hogs (2019)
- \$166 million gross
- 98% in CAFO facilities

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Some Background:



Some Background:

'Pigger' pressure

Economic development not always eq
to days of swine and roses

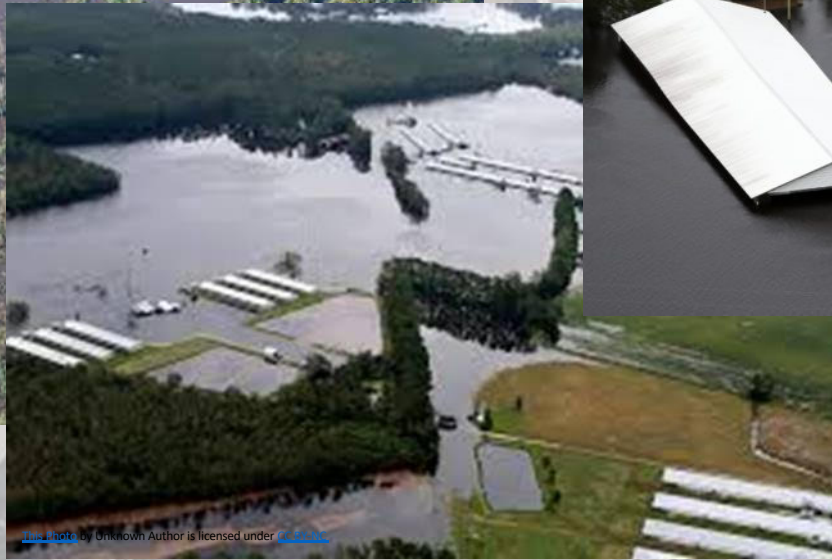
By Jim Carlton
WALL STREET JOURNAL

MILFORD, Utah — This
is a tale of how one
small town, offshoot of

hog farm here first came
1983, Milford was pretty
behind it. The town's two
sources of employment,
farming and the Union

Local residents raised their own
stink when one of Circle Four's
pumps malfunctioned last year
and up to 80,000 gallons of hog
waste spilled into the local ground
water. The hog farm waited six
weeks to notify state water
authorities of the spill. Utah's
Water Quality Board didn't tell
Milford for several more weeks.

Some Background:



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Some Background:

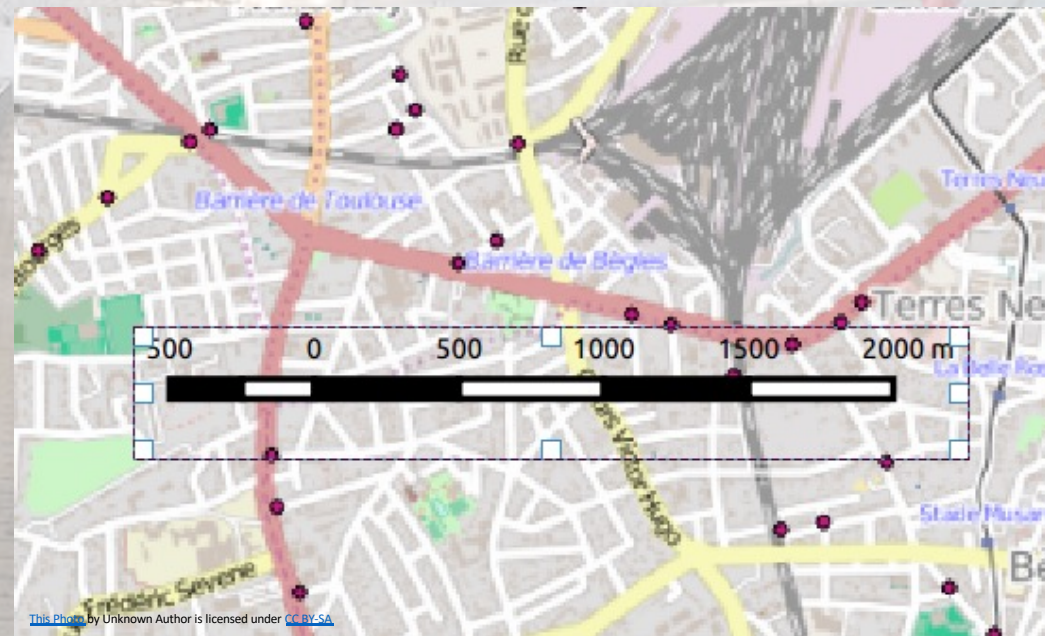


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Some Background:

Setbacks:

- Beaver: 5 miles from municipalities and residential areas
- Iron: 4 to 8 miles from “public gathering places”



Large CAFO Act:

Can't just be setbacks anymore



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Large CAFO Act:

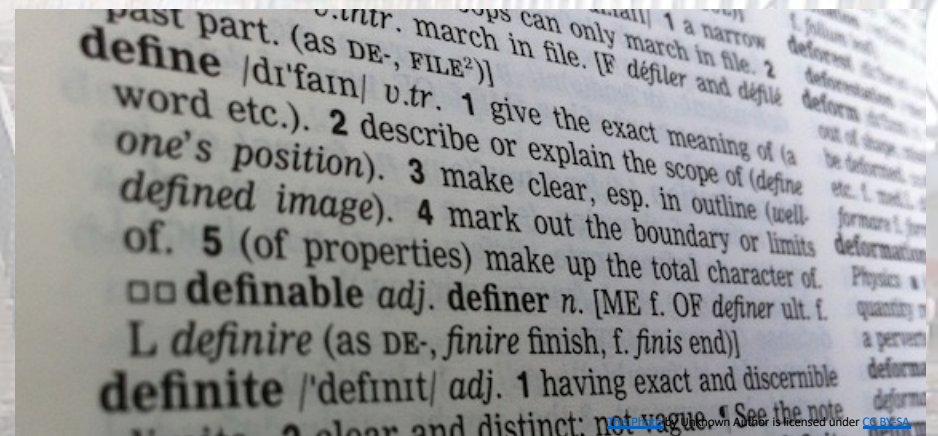
What is a large CAFO?

past part. (as DE-, FILE²)
define /dr'fain/ v.tr. 1 give the exact meaning of (a word etc.). 2 describe or explain the scope of (define one's position). 3 make clear, esp. in outline (well-defined image). 4 mark out the boundary or limits of. 5 (of properties) make up the total character of.
□□ **definable** adj. **definer** n. [ME f. OF *definire* ult. f. L *definire* (as DE-, *finire* finish, f. *finis* end)]
definite /'definit/ adj. 1 having exact and discernible limits. 2 clear and distinct: not vague. * See the note

Large CAFO Act:

What is a large CAFO?

➤ An AFO:

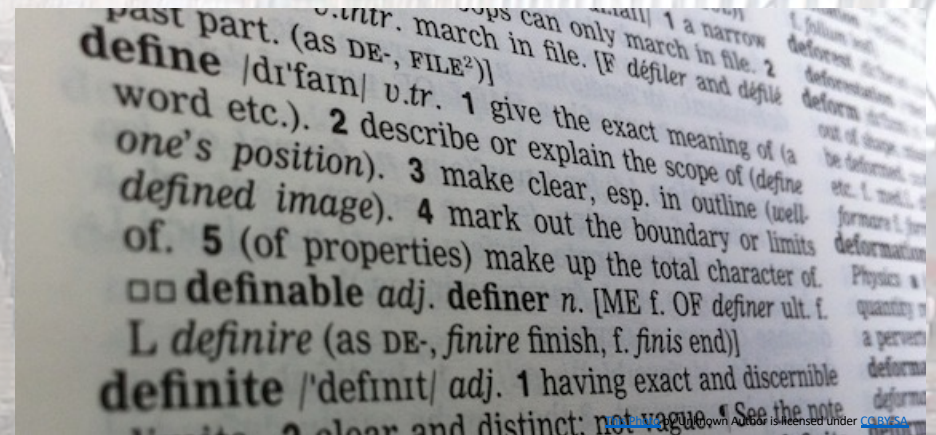


Large CAFO Act:

What is a large CAFO?

➤ An AFO:

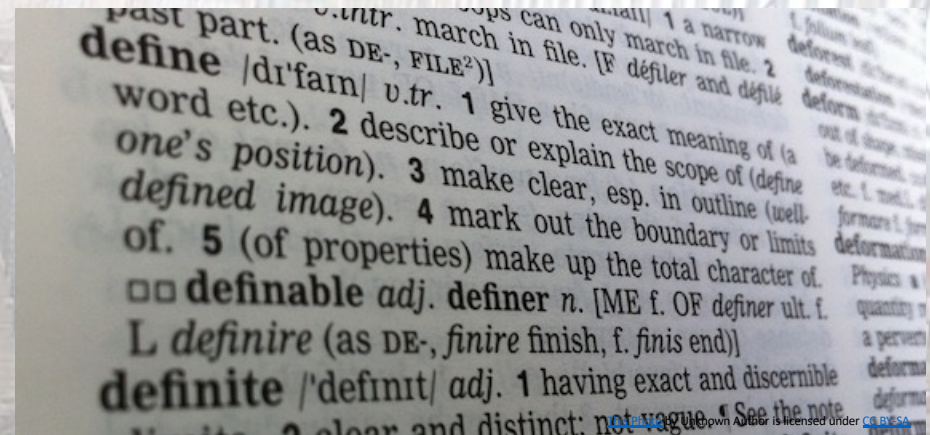
- Animals confined & fed at least 45 days/year, and
- Crops/vegetation not sustained during growing season on any portion of property



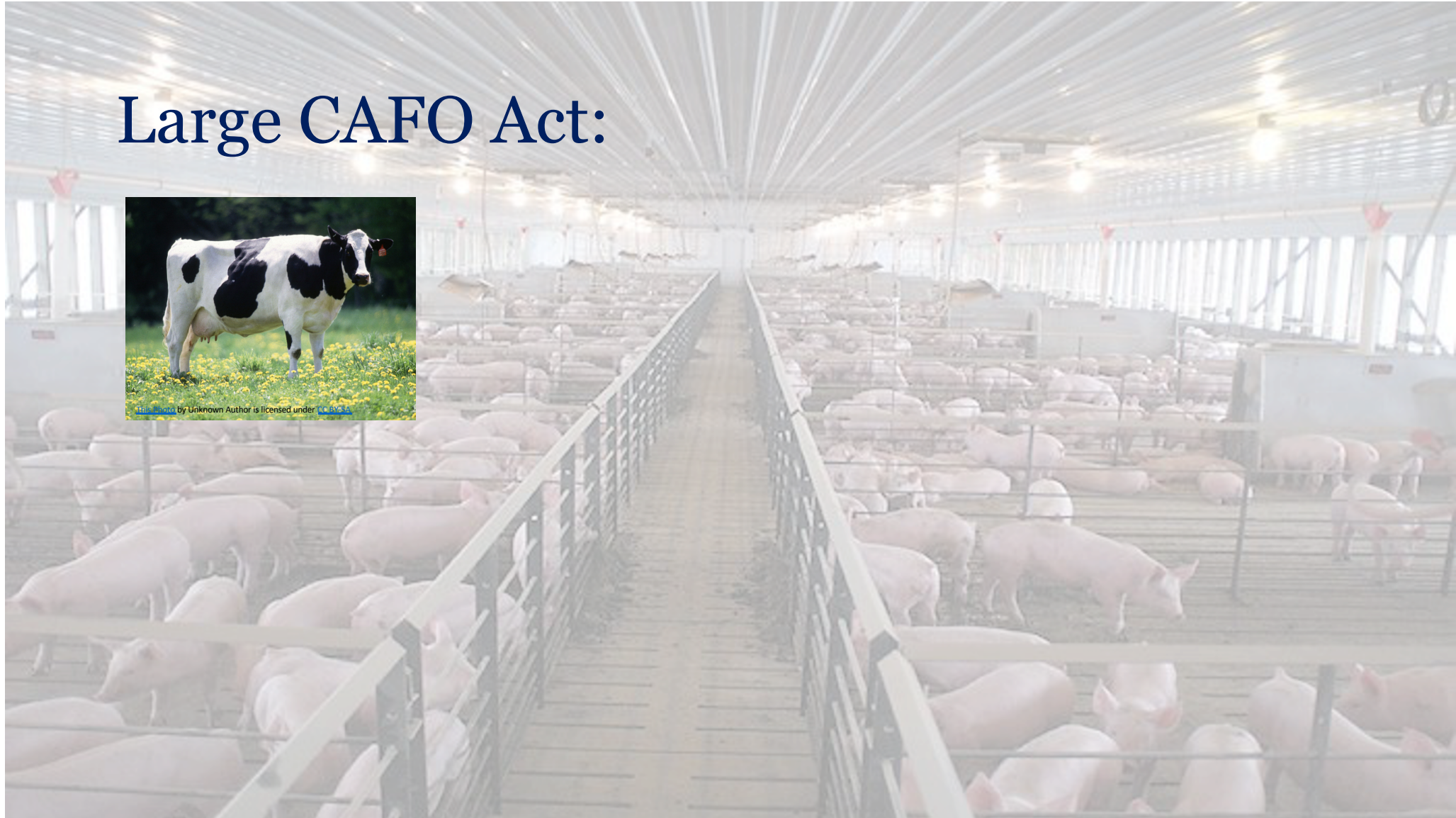
Large CAFO Act:

What is a large CAFO?

- Large CAFO:
 - An AFO that confines numbers of species specified in section 1102(6)



Large CAFO Act:



Large CAFO Act:



Large CAFO Act:



Large CAFO Act:



Large CAFO Act:



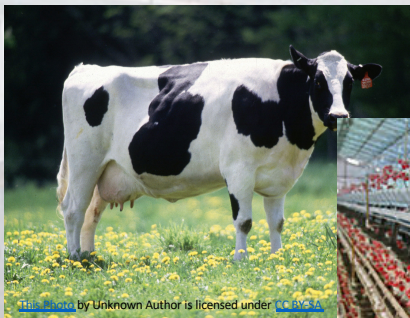
Large CAFO Act:



Large CAFO Act:



Large CAFO Act:



Large CAFO Act:



Large CAFO Act:

Ordinance Requirements:



Large CAFO Act:

Ordinance Requirements:

➤ Map



Large CAFO Act:

Ordinance Requirements:

- Map
- Requirements and procedures



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Large CAFO Act:

Ordinance Requirements:

- Map
- Requirements and procedures
- Fees



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Large CAFO Act:

Ordinance Requirements:

- Map
- Requirements and procedures
- Fees
- Administrative remedies



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Large CAFO Act:

Five Criteria:



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Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - Health care facilities
 - Public areas
 - Educational institutions
 - Religious institutions
 - Commercial enterprises
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - *Health care facilities*
 - *Public areas*
 - *Educational institutions*
 - *Religious institutions*
 - *Commercial enterprises*
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - *Health care facilities*
 - **Public areas**
 - *Educational institutions*
 - *Religious institutions*
 - *Commercial enterprises*
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Public areas:



Large CAFO Act:

Public areas:

- Government-owned with facilities to attract the public to congregate and remain for significant periods of time;



Large CAFO Act:

Public areas:

- Government-owned with facilities to attract the public to congregate and remain for significant periods of time;
- Part of public park that has cultural or similar significance or valuable ecological system



Large CAFO Act:

Public areas:

- Government-owned with facilities to attract the public to congregate and remain for significant periods of time;
- Part of public park that has cultural or similar significance or valuable ecological system; or
- Cemeteries



Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - *Health care facilities*
 - *Public areas*
 - *Educational institutions*
 - *Religious institutions*
 - *Commercial enterprises*
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - *Health care facilities*
 - *Public areas*
 - *Educational institutions*
 - *Religious institutions*
 - ***Commercial enterprises***
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Commercial enterprises:



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Large CAFO Act:

Commercial enterprises:

- Can't be seasonal



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Large CAFO Act:

Commercial enterprises:

- Can't be seasonal
- Can't be an "agricultural operation"



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Large CAFO Act:

Commercial enterprises:

- Can't be seasonal
- Can't be an “agricultural operation”
- Has to be connected to water or electric



Large CAFO Act:

Five Criteria:

- Distance from:
 - Residential zones
 - Health care facilities
 - Public areas
 - Educational institutions
 - Religious institutions
 - Commercial enterprises
 - Municipal boundaries
 - Highways and roads



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Large CAFO Act:

Five Criteria:

- Distance from “people-intensive” uses



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Large CAFO Act:

Five Criteria:

- Distance from “people-intensive” uses
- Prevailing winds



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Large CAFO Act:

Five Criteria:

- Distance from “people-intensive” uses
- Prevailing winds
- Topography



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Large CAFO Act:

Five Criteria:

- Distance from “people-intensive” uses
- Prevailing winds
- Topography
- Economic benefits



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Large CAFO Act:

Five Criteria:

- Distance from “people-intensive” uses
- Prevailing winds
- Topography
- Economic benefits
- Reasonable access to transportation, water, and power

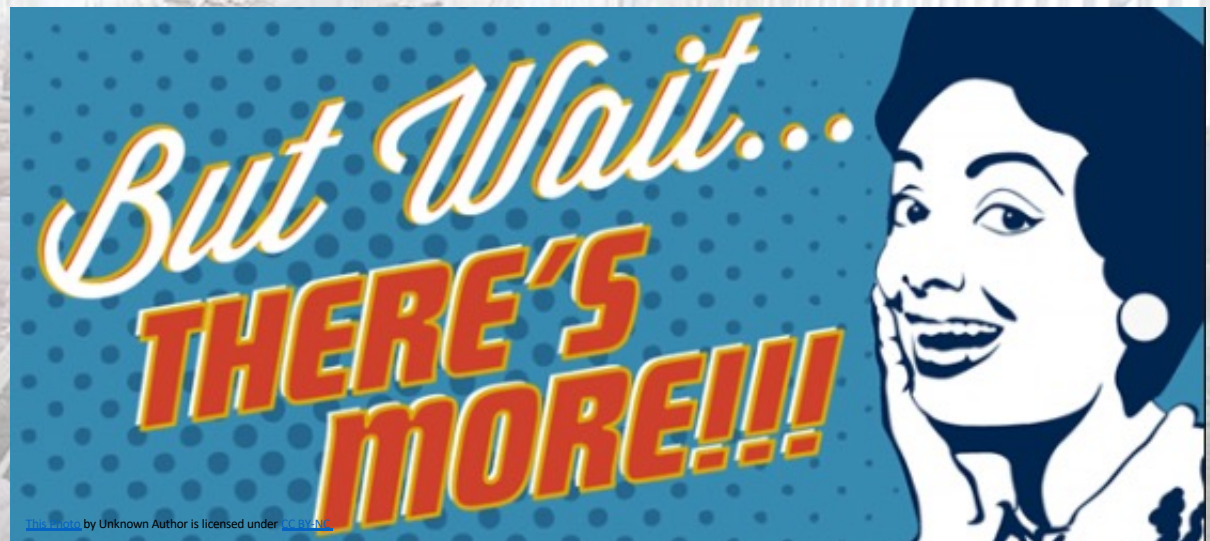


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Large CAFO Act:

Five Criteria:

- Not exclusive



Large CAFO Act:

Safe harbor:



Large CAFO Act:

Safe harbor:

- If one of the following “makes it not feasible to meet the criteria”



Large CAFO Act:

Safe harbor:

- If one of the following “makes it not feasible to meet the criteria”
 - Population density; or



Large CAFO Act:

Safe harbor:

- If one of the following “makes it not feasible to meet the criteria”
 - Population density; or
 - Population density relative to private land



Points and Questions



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Points and Questions

Is this legislative?

Points and Questions

Can you still impose conditions?

Points and Questions

We already have a zone for large CAFOs; do we need to enact a new one?

Points and Questions

Can we just adopt an ordinance recognizing our current zone?

Points and Questions

Can we put it here?



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Points and Questions

Subsection 1104(1)(a)(i) says we need to consider separation distances in **feet**; does that limit the distance we can consider?

Points and Questions

Make sure ALL of your studies,
findings, public comment make it
into the county
commission's/council's record!